IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 806 OF 2007

Smt.Ujwala Pedgaonkar ....Applicant
V/s
State of Maharashtra ....Respondent.

Mr.C.K.Pendse, Adv. For the applicant.

Mr.S.R.Shinde, APP For the respondent.

CORAM: A.P.DESHPANDE, J.
6/12/07

PC:

By this application the applicant take exception to an order passed by the Additional Sessions Judge rejecting Misc. Application moved by the present applicant who is an accused convicted for an offence punishable under section 471. The appeal against conviction is pending before the Additional Sessions Judge. Pending the appeal present applicant-accused moved an application seeking permission to lead evidence by examining herself on oath and further prayed to recall the complainant P.W.1 for further cross examination. The said application has been rejected by the Appellate Court by holding that the applicant-accused had an opportunity to lead the evidence and the same is obvious from a question put while recording the statement u/s.313 of Code of Criminal Procedure as to whether she wants to examine herself on oath. However the applicant declined to do so. Secondly the

Appellate Court after going through the documents which the applicant intends to prove has held that the said documents which the applicant intends to prove through her evidence have no bearing so far as offence u/s.471 is concerned and lastly the Appellate Court has opined that it does not find it necessary that additional evidence is needed to be recorded. The Appellate Court has also found that the belated moving of an application in an appeal filed in the year 2004 is intended to delay hearing of the appeal. Perused the impugned order. Same does not call for interference. Hence application stands rejected.

6.12.07